

1 ORRICK, HERRINGTON & SUTCLIFFE LLP  
2 KAREN G. JOHNSON-MCKEWAN (SBN 121570)  
3 kjohnson-mckewan@orrick.com  
4 ANNETTE L. HURST (SBN 148738)  
5 ahurst@orrick.com  
6 GABRIEL M. RAMSEY (SBN 209218)  
7 gramsey@orrick.com  
8 405 Howard Street, San Francisco, CA 94105  
9 Tel: 1.415.773.5700 / Fax: 1.415.773.5759  
10 PETER A. BICKS (*pro hac vice*)  
11 pbicks@orrick.com  
12 LISA T. SIMPSON (*pro hac vice*)  
13 lsimpson@orrick.com  
14 51 West 52<sup>nd</sup> Street, New York, NY 10019  
15 Tel: 1.212.506.5000 / Fax: 1.212.506.5151

16 BOIES, SCHILLER & FLEXNER LLP  
17 DAVID BOIES (*pro hac vice*)  
18 dboies@bsflp.com  
19 333 Main Street, Armonk, NY 10504  
20 Tel: 1.914.749.8200 / Fax: 1.914.749.8300  
21 STEVEN C. HOLTZMAN (SBN 144177)  
22 sholtzman@bsflp.com  
23 1999 Harrison St., Ste. 900, Oakland, CA 94612  
24 Tel: 1.510.874.1000 / Fax: 1.510.874.1460

25 ORACLE CORPORATION  
26 DORIAN DALEY (SBN 129049)  
27 dorian.daley@oracle.com  
28 DEBORAH K. MILLER (SBN 95527)  
deborah.miller@oracle.com  
MATTHEW M. SARBORARIA (SBN 211600)  
matthew.sarboraria@oracle.com  
RUCHIKA AGRAWAL (SBN 246058)  
ruchika.agrawal@oracle.com  
500 Oracle Parkway,  
Redwood City, CA 94065  
Tel: 650.506.5200 / Fax: 650.506.7117

*Attorneys for Plaintiff*  
ORACLE AMERICA, INC.

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

ORACLE AMERICA, INC.  
Plaintiff,  
v.  
GOOGLE INC.  
Defendant.

Case No. CV 10-03561 WHA  
**DECL. OF ROBERT T. KEELE IN  
SUPPORT OF ORACLE'S  
OBJECTION TO DR. LEONARD'S  
EXHIBIT 2B AND OPINIONS BASED  
THEREON**

Dept.: Courtroom 8, 19th Floor  
Judge: Honorable William Alsup

1 I, Robert T. Keele, declare and state as follows:

2 1. I am a member of the bar of the State of California, admitted to practice before this  
3 Court, and an associate with the law firm of Orrick, Herrington & Sutcliffe LLP (“Orrick”),  
4 attorneys of record for plaintiff Oracle America, Inc. (“Oracle”). I am familiar with the events,  
5 pleadings and discovery in this action and, if called upon as a witness, I could and would testify  
6 competently to the matters stated herein of my own personal knowledge.

7 2. I submit this declaration in support of Oracle’s Objection to Exhibit 2b of Google  
8 Expert Dr. Gregory Leonard’s Opening Expert Report and Opinions Based Thereon.

9 3. Attached hereto as Exhibit A is a true and correct copy of Exhibit 2b to Dr.  
10 Leonard’s first report (corrected), dated March 10, 2016.

11 4. Attached hereto as Exhibit B is a true and correct copy of the relevant portions of  
12 the deposition testimony of Gregory Leonard, March 11, 2016, Deposition Transcript 191:25-  
13 194:2.

14 5. Attached hereto as Exhibit C is a true and correct copy of the relevant portions of  
15 the trial transcript from the first trial in this matter, dated May 3, 2012.

16 6. Attached hereto as Exhibit D is a true and correct copy of the relevant portions of  
17 the deposition testimony of William S. Rutledge III, December 9, 2015, Deposition Transcript  
18 34:16-22; 75:11-15.

19 I declare under penalty of perjury under the laws of the United States that the foregoing is  
20 true and correct.

21  
22 Executed this 24th day of May, 2016, at San Francisco, CA.

23  
24 /s/ Robert T. Keele

25 Robert T. Keele